

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

2 **MULTNOMAH COUNTY**

3 parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my
4 training and experience that handguns, as well as other firearms, are commonly dismantled and
5 their parts hidden in different locations, or traded with other parts, in order to prevent discovery
6 by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an
7 effort to disrupt the potential success of ballistic testing when the firearm is found by law
8 enforcement. I know that these handgun parts can be hidden anywhere to include, but not
9 limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies,
10 Tupperware type containers, coffee cans, film canisters, and other small containers.

11
12 That, in reviewing all the above listed information, I have probable cause to believe the
13 vehicle itself is evidence of the murder of Daniel Brophy. I have further probable cause to
14 believe evidence of Murder and Unlawful Use of a Weapon will be found in the gray colored
15 Toyota Sienna mini-van with Oregon license plate "067BQX" for items of evidence related to
16 the murder of Daniel Brophy. The vehicle is currently registered to Daniel Brophy at the address
17 of [REDACTED] City of Beaverton, County of Washington, State of Oregon.

18
19 That I therefore ask the above-entitled court issue a search warrant authorizing the seizure
20 and search of the following: A gray colored Toyota Sienna mini-van with Oregon license plate
21 "067BQX" for items of evidence related to the murder of Daniel Brophy. The vehicle is
22 currently registered to Daniel Brophy at the address of [REDACTED] City of
23 Beaverton, County of Washington, State of Oregon.

24
25 To search for, and seize instrumentalities, and evidence of the crimes of Murder, as
26 defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in

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3 Oregon Revised Statute 166.220, and to authorize the processing, testing, analyzing, comparing,
4 and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,
5 Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic
6 Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law
7 enforcement agency within the State of Oregon;

8
9 To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon, including,
10 weapons, firearms, fingerprints, photographs, written material such as journals and notes, cellular
11 phones, computers, electronic tablets, and other electronic devices that use cellular technology to
12 connect to the internet as well as devices that have internet web browsing capabilities, biological
13 materials or trace evidence, and evidence of ownership and correspondence, including text
14 messages, email, internet site information for the selling and purchase of items (i.e. Craigslist or
15 Offer-Up), postal oriented mail, and purchase receipts or purchase agreements;

16
17 **3. Electronic Devices**
18

19 I am requesting a warrant to seize the cell-phone, computer/laptops, and electronic tablets
20 from Nancy Lee Crampton-Brophy. Given the information in the affidavit, it is more likely than
21 not that Nancy Lee Crampton-Brophy was involved in the murder of her husband Daniel Brophy
22 on June 2nd, 2018. I will submit a subsequent affidavit and warrant to search the contents of the
23 above listed seized items.
24

25 I know based on my training and experience that cell phones, computers, and electronic
26 tablets have the capability to browse the internet and such browsing history is stored within the

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3 memory of the cell phone, computer, and electronic tablet. I further know based on my training
4 and experience that persons committing offenses described herein will, more likely than not,
5 possess evidence of their criminal acts within their cell phone, computer, and electronic tablet
6 internet browsing history. I know from my training and experience the information stored in
7 these electronic devices can be retained for long periods of time. Such evidence includes
8 plotting, planning and execution of the crime such as researching the location of the crime,
9 researching how to commit the crime including what weapons may be desirable to facilitate the
10 crime and purchasing items and weapons from the internet to assist in the facilitation of the
11 crime. Such evidence also includes apprehension avoidance and concealment of evidence after
12 the crime. I know from my training and experience investigating similar crimes that internet
13 browsing history providing evidence of the crime will, more likely than not, be found throughout
14 the planning phase of the crime until the date of apprehension. Internet browsing history about
15 the crime involving the plotting, planning and execution will, more likely than not, be found
16 throughout the planning phase of the crime and through the date of the crime while internet
17 browsing history after the crime involving discussions of the concealment of evidence linked to
18 the crime and apprehension avoidance, more likely than not, will be found until the date of
19 apprehension;

20
21 Based on the foregoing, I believe that probable cause exists for evidence of the crimes of
22 Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 166.220), will be found inside; 1.
23 The residence located at [REDACTED] City of Beaverton, County of Washington,
24 State of Oregon. This location is a two story residence with a detached garage; two tone blue
25 colored siding with white colored trim around the windows and eaves, and a gray colored
26 composite roof. The numbers [REDACTED] for the residence are affixed to the right side of the front

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3 door; 2. The vehicle registered to Daniel C. Brophy and driven by Nancy Lee Crampton-Brophy,
4 a gray colored Toyota Sienna mini-van with Oregon license plate "067BQX;" 3. The cell phone
5 of NANCY LEE CRAMPTON BROPHY with assigned phone number [REDACTED] along
6 with any computers, electronic tablets, and any other electronic devices with internet access;
7

8 Nancy Lee Crampton-Brophy was placed into custody outside her residence on
9 September 5, 2018. I was informed by Detective Merrill that he spoke to Detective Dan Andrew
10 who told him the following: Nancy Lee Crampton-Brophy spontaneously said upon her arrest,
11 "You're arresting me? You must think I murdered my husband." Later she stated spontaneously,
12 "I'm not a murderer, I just had to get that out." Detective Andrew heard dogs barking inside the
13 residence and Nancy Lee Crampton-Brophy stated no one was in the residence and was in the
14 process of selling the home and had moved furniture out of the home. Detective Andrew noted
15 that new grass sod was in the front yard, and several full trash cans on the property in front of
16 and along the side of the house.
17

18 I know from training and experience that premature disclosure of the contents of this
19 affidavit would jeopardize the investigation because it could release information known only to
20 law enforcement investigators. This could allow information to be released that could otherwise
21 be used to check the accuracy of information by witnesses and suspects related to this case.
22 Based on the foregoing, I request the affidavit be sealed until further ordered by the court,
23 excepting that it may be provided to the defense team in this case subject to the terms of any
24 protective order currently governing discovery in the case.
25
26

MULTNOMAH COUNTY

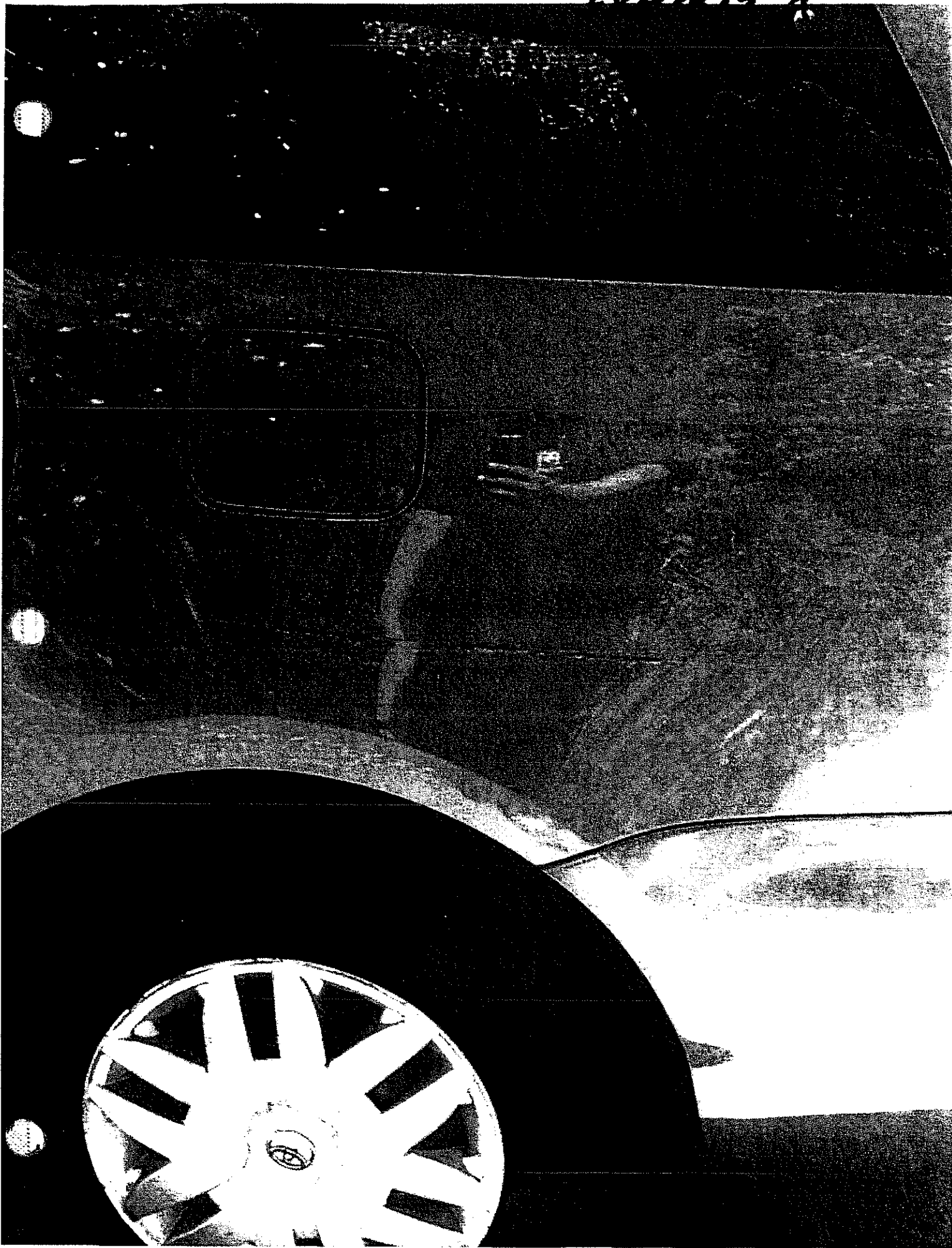
- 1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun cleaning equipment, holsters, and gun safes;
- 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
- 3) Any receipts or paperwork for firearm purchases or possession;
- 4) Any written journals, diaries, or notes;
- 5) Any keys, documents for storage facilities, or other information regarding locations where Nancy Lee Crampton-Brophy is storing personal effects;
- 6) Trash cans located on the property on the side of and in front of the home;
- 7) To seize any computers and electronic tablets with internet browsing abilities;
- 8) To seize any cell phones or smart phone devices with the ability to send and receive text messages, email, internet browsing, and phone calls.

Affiant

SUBSCRIBED AND SWORN TO before me this 5 day of September, 2018.

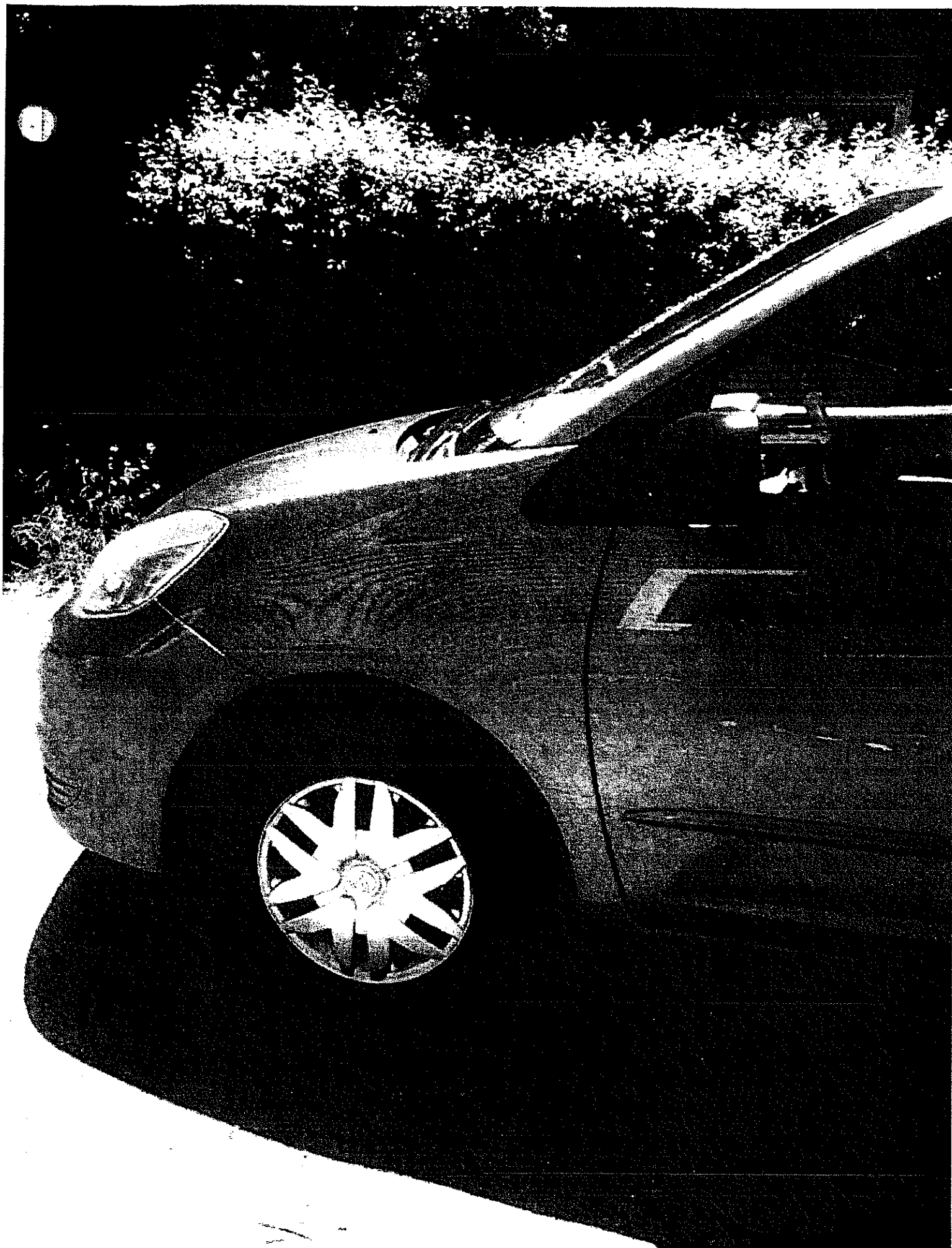
Judge

EXHIBIT A









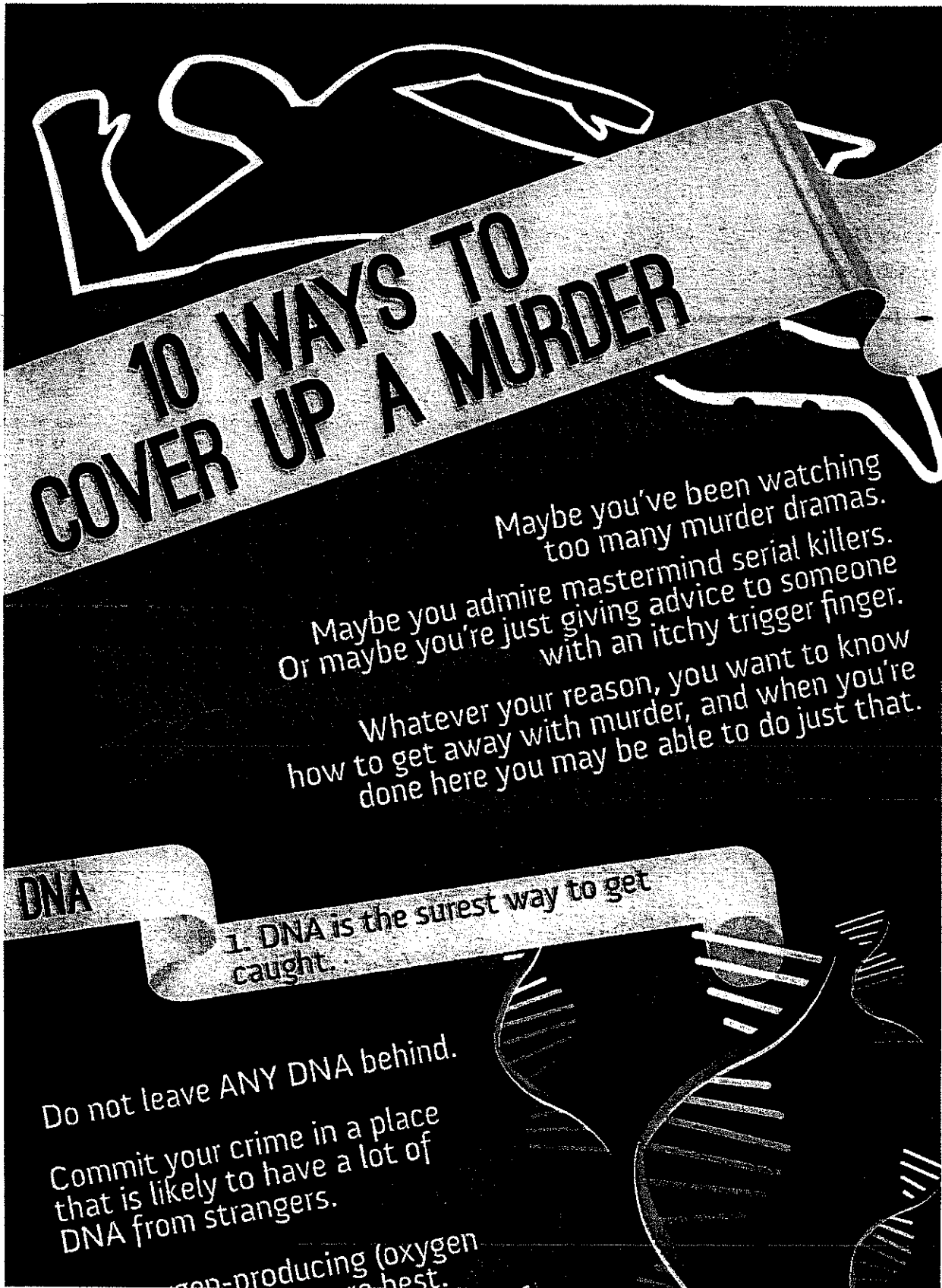


Share this infographic on your site!

<http://www.top-criminal-justice-schools.net/murder/>
<http://www.top-criminal-justice-schools.net/murder/evidence.jpg>
alt="10 Ways To Cover Up A Murder" width="500"

Share

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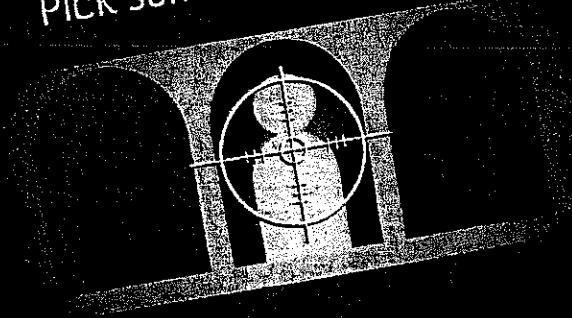
The oxygen (or bleach) detergents are best

RELATIONSHIP

2. The large number of crimes committed are committed by someone close to the victim.

24.2 percent of victims were slain by family members

Pick someone at random.

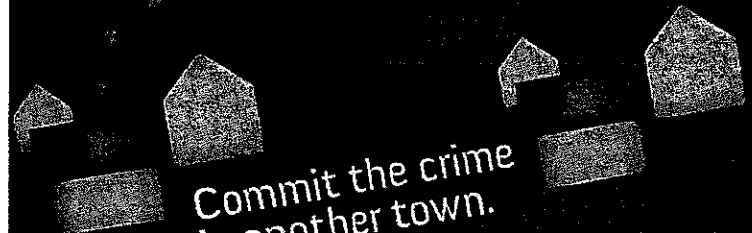


53.8 percent were killed by someone they knew

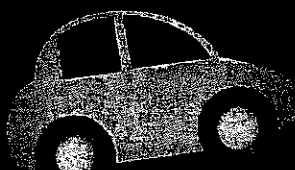
34.6 percent were murdered by their husbands or boyfriends

PROXIMITY

3. Where am I?



Commit the crime in another town.



Don't be on the road for hours before the crime, as you may become tired.

...far that you can ...

Don't travel so far that you be connected because you took a trip - just far enough that you are outside of the main area of interest to the police.

Don't be in the area when the big investigation begins.

Choose a good area without a lot of traffic.

TYPE OF CRIME

4. Chose your crime carefully. Make sure it's something that can be done day or night.

14,299 MURDERS IN 2008

Shooting

39.6%
in US

4% from
blunt object

7% used
their hands

Stabbing

14% from
stabbing

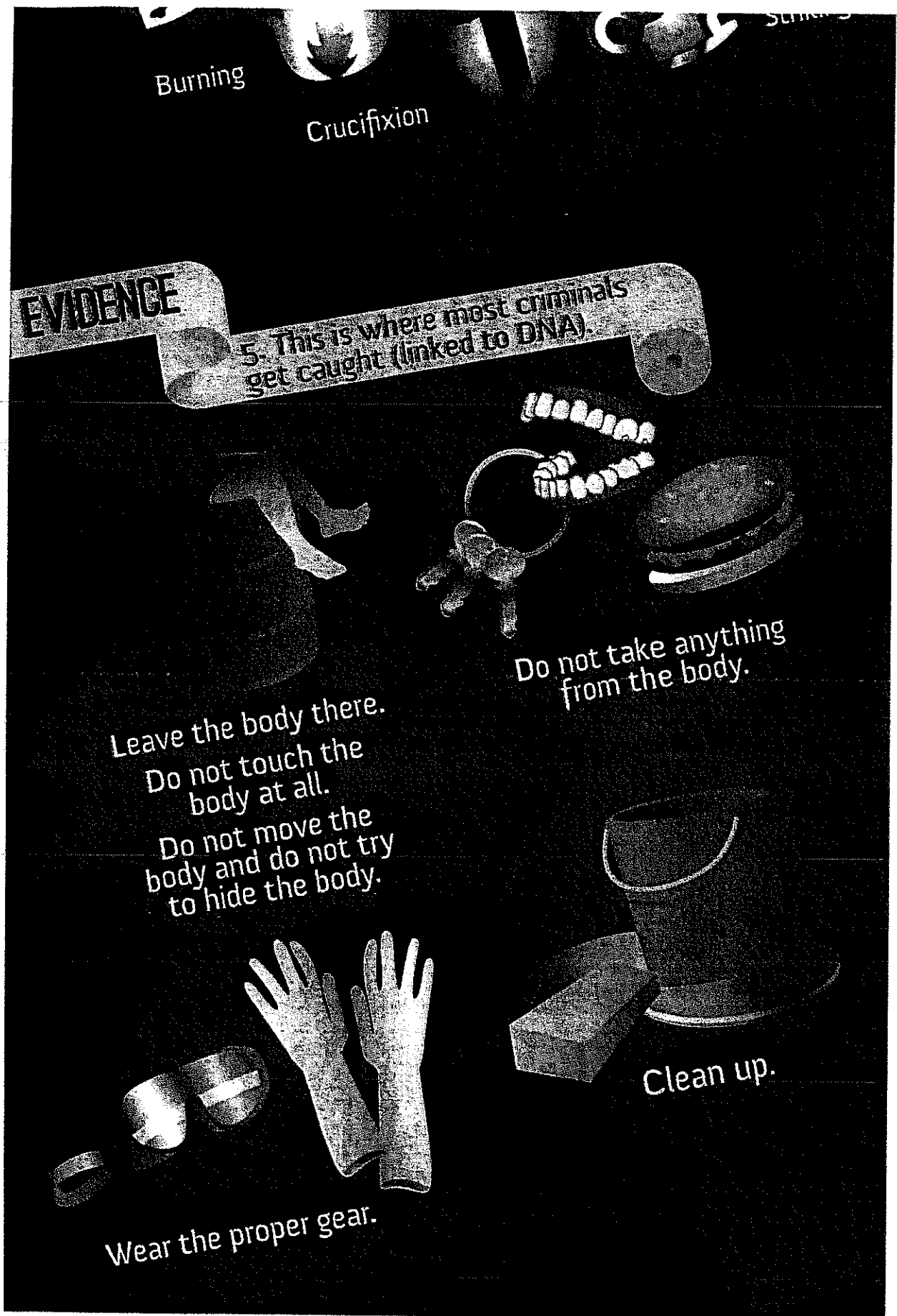
66.3%
from guns

Poison

Bomb

striking





TIMING

6. Timing is everything



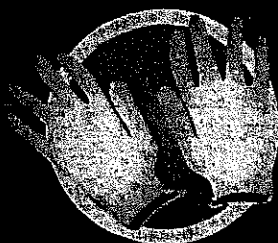
The best time to commit a crime is in the very early hours of the day when most people are asleep.



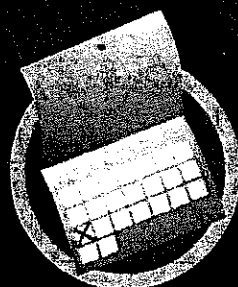
Look like you are not out of place on the street.

TOOLS

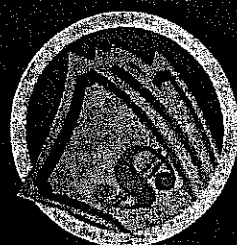
7. How are you going to do it and what will you need?



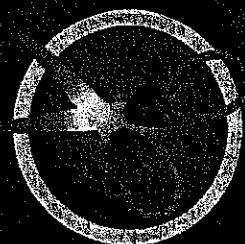
Thick gloves



Buy your tools at least 1 month before committing the crime.



Pay in cash



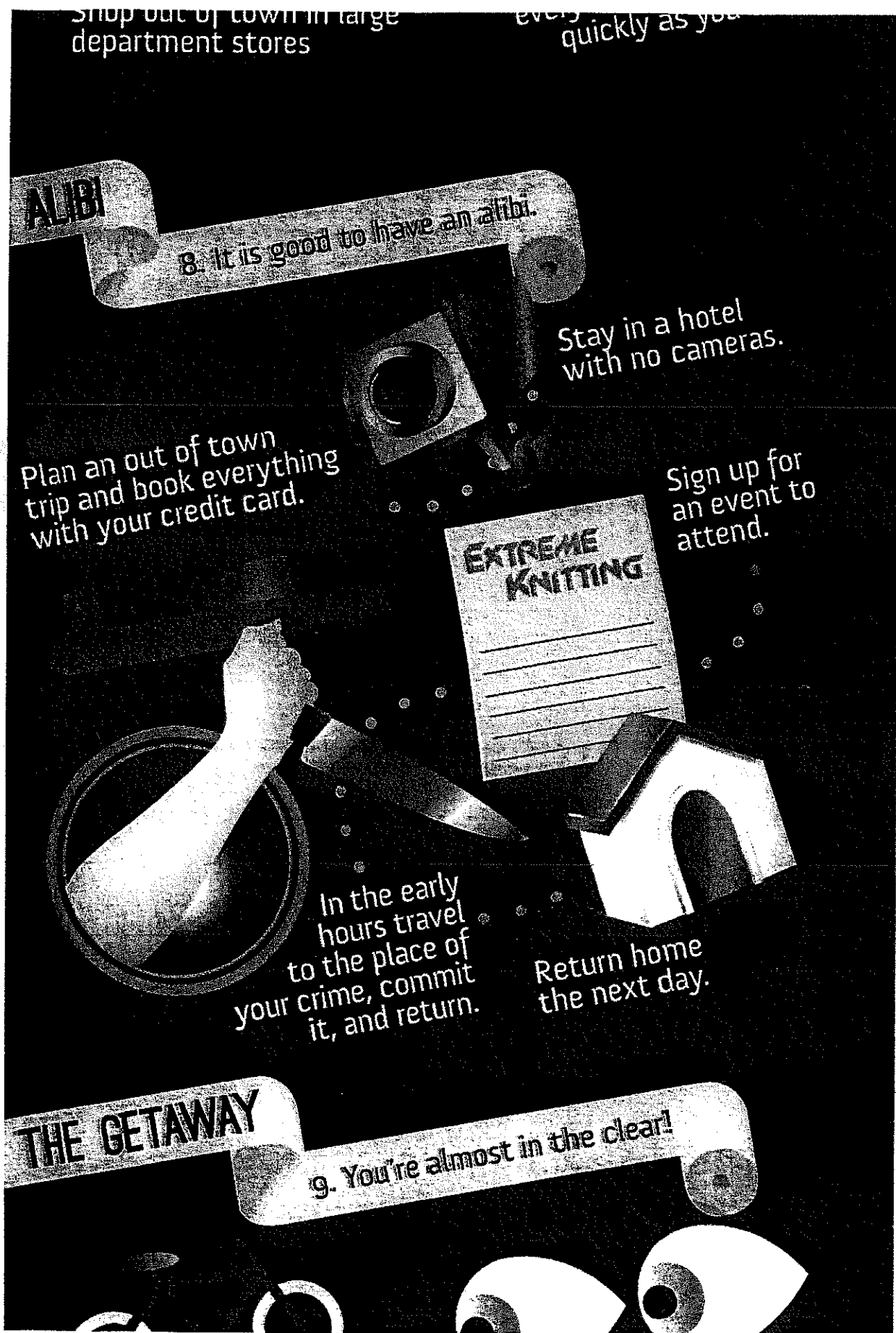
Destroy any receipts or shopping bags.



Do not use anything you own and do not buy brands you normally buy unless they are very generic brands.

After the crime is committed, destroy everything you bought as you can.

Shop out of town in large





Embed this infographic on your site!

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<a href="http://www.top-criminal-justice-schools.net/murder/"><img  
src="http://www.top-criminal-justice-schools.net/murder/evidence.jpg"  
alt="10 Ways To Cover Up A Murder" width="500"
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10 Ways to Cover Up a Murder

At Top Criminal Justice Schools, we thought it would be fun to take a look at the murder from the murderers perspective. So why are you here reading this? Maybe you've been watching too many murder dramas (Dexter anyone?). Maybe you admire mastermind serial killers. Or maybe you're just giving advice to someone with an itchy trigger finger. Whatever your reason, you want to know how to get away with murder, and when you're done here you may be able to do just that. DNA

Your Signature

1. DNA is the surest way to get caught.

- Do not leave ANY DNA behind.
- Commit your crime in a place that is likely to have a lot of DNA from strangers.
- The oxygen-producing (oxygen bleach) detergents are best.

Relationship**2. The large number of crimes committed are committed by someone close to the victim.**

- Pick someone at random.
- 24.2 percent of victims were slain by family members
- 34.6 percent were murdered by their husbands or boyfriends
- 53.8 percent were killed by someone they knew

Source: http://www2.fbi.gov/ucr/cius2009/offenses/expanded_information/homicide.html

Proximity**3. Where am I?**

- Commit the crime in another town.
- Don't travel so far that you can be connected because you took a trip - just far enough that you are outside of the main area of interest to the police.
- Don't be on the road for hours before the crime, as you may become tired.
- Don't be in the area when the big investigation begins.
- Choose a good area without a lot of traffic.

Type of Crime**4. Chose your crime carefully. Make sure it is something that can be committed day or night.**

- Shooting - 39.6% in US
- Stabbing
- Bomb
- Poison
- Burning
- Crucifixion
- Striking

Source: <http://www.nationmaster.com/red/country/us-united-states/crime-crime&all=1>

There were 14,299 murders in 2008

- 66.3% from guns
- 14% from stabbing
- 4% from blunt object
- 7% used their hands

Source: <http://www.infoplease.com/ipa/A0004888.html>

Evidence**5. This is where most criminals get caught (linked to DNA).**

- If your crime involves any kind of weapon, use it and drop it. Leave it at the scene.
- Leave the body there. Do not touch the body at all. Do not move the body and do not try to hide the body.
- Do not take anything from the body.
- Wear the proper gear.
- Clean up.

Timing**6. Timing is everything.**

- The best time to commit a crime is in the very early hours of the day when most people are asleep.
- Look like you are not out of place on the street.

Tools**7. How are you going to do it and what will you need?**

- Thick gloves.
- Do not use anything you own and do not buy brands you normally buy unless they are very generic brands.
- Shop out of town in large department stores
- Pay in cash.
- Destroy any receipts or shopping bags.
- After the crime is committed, destroy everything you bought as quickly as you can.
- Buy your tools at least 1 month before committing the crime.

Alibi

8. It is good to have an alibi.

- Plan an out of town trip and book everything with your credit card.
- Stay in a hotel with no cameras.
- Sign up for an event to attend.
- In the early hours travel to the place of your crime, commit it, and return.
- Return home the next day.

The Getaway

9. You're almost in the clear!

- The best mode of transport is by bike. This will enable you to get off the roads if you need and to travel quickly.
- You do not want to be seen on the street walking (remember, the Zodiac nearly got caught this way).
- Fit in with your surroundings.
- Have a solid story.

Aftermath

10. What happened?

- Do not watch the television and avoid the papers for at least a month. The police can use these as tools to try to psych you out.
- Continue about your everyday life.
- Do not brag about your crime to anyone. Don't tell a soul.
- If you do get arrested, do not speak.
- The police need evidence to convict you - if you have done the job right, there won't be any.



County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1 You are hereby commanded to search for evidence located at; 1. The residence of [REDACTED]
2 [REDACTED] City of Beaverton, County of Washington, State of Oregon. This location is a
3 two story residence with a detached garage; two tone blue colored siding with white colored trim
4 around the windows and eaves, and a gray colored composite roof. The numbers "3380" for the
5 residence are affixed to the right side of the front door; 2. The vehicle registered to Daniel C.
6 Brophy and driven by Nancy Lee Crampton-Brophy, a gray colored Toyota Sienna mini-van
7 with Oregon license plate "067BQX;" *and to seize the vehicle as evidence* 3. The cell phone of NANCY LEE CRAMPTON-
8 BROPHY with assigned phone number [REDACTED] along with any computers, electronic
9 tablets, and any other electronic devices with internet access to seize, test, and examine evidence
10 of crimes related to Murder (ORS 163.115) and Unlawful use of a Weapon (ORS 166.220) to
11 include, but not limited to:

12

- 13 1) Any handgun, pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun
14 cleaning equipment, holsters, and gun safes;
15 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
16 3) Any receipts or paperwork for firearm purchases or possession;
17 4) Any written journals, diaries, or notes;
18 5) Any keys, documents for storage facilities, or other information regarding locations
19 where Nancy Lee Crampton-Brophy is storing personal effects;
20 6) Trash cans located on the property on the side of and in front of the home;
21 7) To seize any computers, laptop computers, and electronic tablets or devices with
22 internet browsing abilities;
23 8) To seize any cell phones or smart phone devices with the ability to send and receive
24 text messages, email, internet browsing, and phone calls.

25

26 And to seize and analyze the aforesaid objects of the search;

County of Multnomah

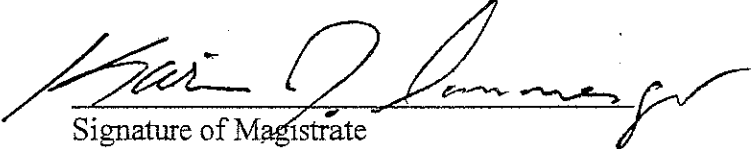
IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

You are further directed to make return of this warrant to me within ten (10) days after the execution thereof.

It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until otherwise ordered by the court.

ISSUED over my hand on September 5, 2018 at 5:25 a.m. (p.m.)


Signature of Magistrate

Circuit Court Judge
Title of Magistrate

Attachment 2

IN THE CIRCUIT COURT OF THE STATE OF OREGON

MULTNOMAH COUNTY

STATE OF OREGON

COUNTY OF MULTNOMAH

AFFIDAVIT FOR

SEARCH WARRANT

I, Darren Posey, having been first duly sworn, depose and say that I am a Police Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have been a Police Detective for over 12 years of that time. I have attended the Department of Public Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor of Arts degree and graduated San Jose City College with an Associates of Arts degree. The academies I have attended included training on investigating homicides, robberies, and assaults. I am currently assigned to the Homicide Detail of the Detective Division for the Portland Police Bureau. My current job assignment includes the investigation and apprehension of subjects who have committed homicides, attempted homicides, and felony assaults;

That I am seeking a search warrant for the following items: 1. An Apple I-phone belonging to Nancy Lee Crampton-Brophy, 2. a purple colored Lexar thumb drive, 3. a silver colored HP laptop computer with serial number [REDACTED], 4. a black and gray colored HP laptop computer with serial number [REDACTED] 5. A Garmin GPS mapping device;

The following information is provided to establish probable cause relative to the information sought in this affidavit, and may not necessarily contain all of the facts and circumstances I am aware of relative to this ongoing investigation.

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2 **MULTNOMAH COUNTY**

3 That On June 2, 2018 I was directed to respond to the Oregon Culinary Institute at 1701
4 SW Jefferson Street, City of Portland, County of Multnomah, State of Oregon to conduct an
5 investigation related to the homicidal death of Daniel C. Brophy. The assigned Case Number is
6 18-183742. During the course of this investigation I oversaw the collection of information from
7 the crime scene located in and around the Oregon Culinary Institute located at 1701 SW
8 Jefferson Street, City of Portland, Multnomah County, and State of Oregon.

9
10 After reviewing the initial police response, talking to officers present at the scene and
11 debriefing with other investigators who were present, the following information has been
12 developed regarding Case Number 18-183742. I was informed by Sergeant Whattam that police
13 were called to respond to investigate a subject who had been recently shot with a gun and had
14 died in one of the kitchen areas of the Oregon Culinary Institute at 0823 hours on June 2, 2018.
15 The subject who had been killed was identified as Daniel C. Brophy who was an employed
16 instructor at the Oregon Culinary Institute. I personally observed that Daniel C. Brophy's injuries
17 were such that they could not have been self-inflicted, and no firearm was located at the scene.
18 The location of the crime occurred inside the institute, and I learned from staff and personal
19 observation the institute did not have any security surveillance camera systems. After contacting
20 the students and other staff members responding officers were not able to identify any eye-
21 witnesses who had heard or seen the actual crime occur. During the initial interviews with
22 institute administrators I was unable to identify any subjects who had a current grudge or dispute
23 with Daniel C. Brophy.

24
25 While at the location of occurrence I conducted an audio recorded interview with the wife
26 of Daniel C. Brophy. The wife's name is Nancy Lee Crampton-Brophy. Nancy Lee Crampton-

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3 Brophy told us she had come to the Oregon Culinary Institute because a friend had called her
4 about an incident at the institute and it was on the news. Nancy Lee Crampton-Brophy told me
5 she had attempted to call Daniel C. Brophy without result. We spoke to Nancy Lee Crampton-
6 Brophy in order to determine when Daniel C. Brophy left his home and what routines he keeps in
7 the morning. Nancy Lee Crampton-Brophy provided a timeline for when Daniel C. Brophy had
8 left their house that morning and she also provided some background information about her
9 husband. Nancy Lee Crampton-Brophy told us she believed Daniel C. Brophy left their residence
10 in Beaverton sometime around 0705 hours and would have arrived at the institute about ten
11 minutes or so later as they only live about five miles away. Nancy Lee Crampton-Brophy also
12 indicated she was at home at the time her husband left the house. Nancy Lee Crampton-Brophy
13 told us she did not know of any dispute or problem with any person that would provide a motive
14 for this incident. Nancy Lee Crampton-Brophy told us Daniel C. Brophy was well liked at the
15 institute and with the students. Nancy Lee Crampton-Brophy told us she and her husband had
16 decided to buy a handgun in February of this year (2018) after hearing about the school shooting
17 in Florida. Nancy Lee Crampton-Brophy told us she believed it was still at the house, but had not
18 looked at it recently. Nancy Lee Crampton-Brophy said they had not used it as they were not
19 really people that were familiar with guns. Nancy Lee Crampton-Brophy described the gun as a
20 Glock handgun in 9mm caliber.

21
22 While Nancy Lee Crampton-Brophy was at the Culinary Institute with us we asked if we
23 could drive her back home and check if the firearm was still at the house, as we were unsure if
24 Daniel C. Brophy may have had the gun with him at the Institute for protection, and it had been
25 used against him in some way. Nancy Lee Crampton-Brophy agreed, and Detective Beniga and
26 Detective Broughton travelled with her back to her house to check the condition of the firearm. I